United Nations A/C.4/67/SR.21

General Assembly
Sixty-seventh session

Official Records

Distr.: General
30 January 2013

Original: English

Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 21st meeting
Held at Headquarters, New York, on Monday, 12 November 2012, at 10 a.m.

Chair: Ms. Andamo (Vice-Chair) ..... (Thailand)

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In the absence of Mr. Messone (Gabon), Ms. Andamo (Thailand), Vice-Chair, took the Chair.

The meeting was called to order at 10:10 a.m.

Agenda item 53: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (*continued*) (A/67/332, A/67/338, A/67/372, A/67/375, A/67/511 and A/67/550)

1. **Mr. Shaanika** (Namibia) noted that, once again, the Israeli Government had failed to respond to numerous requests from the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. His delegation deplored the practices of the Israeli Government highlighted in the Special Committee's report (A/67/550), which violated the human rights of the Palestinian people. The expansion and construction of illegal settlements and the erection of annexation walls were meant to change facts on the ground. The illegal expansion and construction of Israeli settlements in and around East Jerusalem were nothing but an attempt to alter the legal status of the city and its physical, demographic and cultural character. His Government totally rejected those illegal actions, which violated the fundamental principle of the inadmissibility of the acquisition of territory by force. Israel's deplorable blockade of the Gaza Strip constituted collective punishment of the entire civilian population. Every country was entitled to adequate security, but not at the expense of human rights.

2. His delegation called on the international community to compel Israel to end its occupation of the Palestinian territory, including East Jerusalem, and to abide by its obligations under international humanitarian law. It looked forward to the admission of Palestine as a State Member of the United Nations and, ultimately, to the day when the Fourth Committee's programme of work would no longer include consideration of the current item.

3. **Mr. Tarar** (Pakistan) said that his delegation endorsed the recommendations in the Special Committee's report, which detailed Israel's continuing massive violations of the rights of the Palestinian people. He drew attention, in particular, to the detention of children, the use of administrative detention as a policy tool and an alternative to criminal proceedings and Israel's lamentable failure to implement fully the May 2012 agreement that had ended the mass hunger strike by Palestinians in Israeli detention. Israel's six-year blockade of Gaza continued to deprive residents of their means of livelihood and sustenance, while its illegal settlement policy remained in full force. His delegation deplored the Israeli Government's lack of commitment to a political settlement. A just, equitable and sustainable resolution of the Middle East conflict depended on the establishment of a sovereign, independent and viable Palestinian State based on the pre-1967 borders, with Jerusalem as its capital. His delegation welcomed the progress made by the Palestinian Authority in that regard and supported its initiative to obtain observer status in the United Nations system. In closing, he assured the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) of his Government's continued support.

4. **Mr. Sahraei** (Islamic Republic of Iran), expressing serious concern at the findings in the Special Committee's latest report, called for the Special Committee's recommendations to be implemented. That would ensure that the Israeli regime respected human rights and international humanitarian law and would put an end to its impunity in the occupied territories. His Government condemned Israel's illegal practices aimed at displacing the Palestinian civilian population from strategic areas of the Occupied Palestinian Territory, including East Jerusalem. Those practices included the aggressive settlement campaign, the construction of the separation wall, forced evictions, home demolitions and the revocation of Palestinian residency rights.

5. The prolonged conflict and resulting suffering were the direct result of Israel's continued defiance of the international community and its flagrant disregard for international law, United Nations resolutions and the fundamental human rights of the Palestinian people. The United Nations and the international community must uphold their political, moral and legal responsibility to end the occupation and all Israel's violations against the Palestinian people.

6. His delegation reiterated its condemnation of the Israeli regime's inhumane and unlawful blockade of the Gaza Strip, which constituted a form of collective punishment and posed a serious threat to regional stability and international peace and security. The Israeli regime had also intensified its illegal settlement

activities in an attempt to further colonize the Occupied Palestinian Territory and change its demographic composition.

7. The occupation of Palestine lay at the heart of the protracted crisis in the Middle East. The Israeli regime's crimes against the Palestinians and other peoples in the region were the gravest threat currently posed to regional and international peace and security. His Government was also deeply concerned about the deterioration of the human rights situation and the increase in illegal Jewish settlements in the occupied Syrian Golan, which was an integral part of the territory of the Syrian Arab Republic.

8. **Mr. Selim** (Egypt) expressed grave concern at the long-standing pattern of systematic violations of human rights, including the rights of children, committed by Israel in the Occupied Palestinian Territory, which showed that it considered itself above the law. Indeed, the scope and extent of those violations had increased. With regard to the situation in Gaza, which was a top priority for his Government, the ongoing Israeli blockade continued to inflict grave suffering on the Palestinian civilian population, particularly women and children, in clear violation not only of their human rights but also of international law. Israel's unlawful actions in the occupied Syrian Golan also constituted clear violations of international law and his Government demanded that Israel abide by Security Council resolution 497 (1981) and withdraw completely to the 4 June 1967 borders.

9. His Government fully supported the steps taken by the Palestinian leadership to achieve the legitimate rights of the Palestinian people. His delegation called on all Member States to recognize the State of Palestine within the June 1967 borders and to support the Palestinian quest for full United Nations membership. It expected the General Assembly to adopt the draft resolution upgrading the status of Palestine to non-member observer State as a first step towards achieving full membership.

10. **Mr. Almakhadi** (Yemen) noted that Israel, the occupying Power, continued to violate international law, the Fourth Geneva Convention and numerous United Nations resolutions with its ongoing construction of the separation barrier and expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem. It also continued to murder, starve and oppress Palestinians and to confiscate land, close border crossings and turn Gaza into the world's largest prison. The Special Committee's report described the human rights impact of the Gaza blockade, the restrictions on movement within the Gaza Strip and the denial of basic commodities to its residents. He called on the international community and the Security Council to work for a resolution of the Arab-Israeli conflict and reaffirmed the inalienable rights of the Palestinian people, including the right to an independent State with East Jerusalem as its capital.

11. His delegation also condemned illegal Israeli settlement expansion and resource exploitation in the occupied Syrian Golan. The international community should put pressure on Israel to cease its violations of international law, comply with United Nations resolutions and withdraw from all the occupied Arab territories.

12. **Ms. Diaz Mendoza** (Bolivarian Republic of Venezuela) called for an end to the complete impunity with which Israel had occupied Palestinian and other Arab territories and violated the human rights of their populations for many years. Not only was that situation the main obstacle to a just and lasting peace in the Middle East, but it was also preventing the Palestinian people from exercising their right to self-determination, including their right to live in freedom, justice and dignity and to establish a sovereign, independent State with East Jerusalem as its capital. Despite the announced easing of the blockade against Gaza, Israel was continuing to prevent essential imports and exports and the free movement of persons, thereby prolonging the humanitarian crisis.

13. Israel was weakening the fabric of Palestinian society by its deliberate policy of territorial and economic fragmentation and its attempts to alter the demographic composition of the Occupied Territories. In the West Bank, it was using various means to restrict Palestinians' access to their farmland, schools, medical services and places of worship and forcing thousands of families to live apart. Its expansion of settlements, construction of the separation wall, demolition of homes and expulsions were different facets of the same systematic strategy designed to sow havoc in the lives of people whose only crime was attachment to their country. Her delegation called on the international community to intensify its efforts to bring Israel into compliance with international human rights and humanitarian law and the relevant United Nations resolutions.

14. **Mr. Benmehidi** (Algeria) said that Israel's daily violations of Palestinians' human rights were stark evidence that it was not seeking peace. In addition to maintaining its inhumane blockade of the Gaza Strip, it was continuing to launch military attacks on Gaza, with complete disregard for the lives and safety of civilians in what was a densely populated territory. His delegation was disturbed to see that Israel was also continuing its unlawful arrests and detentions of thousands of Palestinian civilians, including women and children, and its illegal settlement activities, demolition of Palestinian homes and forced evictions, against a backdrop of escalating settler violence.

15. It was regrettable that all serious regional and international efforts to bring about a resumption of direct negotiations had failed, mainly owing to a lack of clear parameters and Israel's insistence on continuing its efforts to cleanse the Occupied Palestinian Territory of its indigenous Palestinian population. His delegation called on the international community to make every effort to compel Israel to abide by its obligations and resume final status negotiations based on clear parameters that included the cessation of all settlement activities, an agreed time frame and the establishment of an independent, democratic and viable Palestinian State within pre-1967 borders, in accordance with international law and the relevant United Nations resolutions. In closing, he called on all Member States to support the draft resolution on enhancing the status of Palestine within the United Nations.

16. **Ms. Albayraq** (United Arab Emirates) said that her country was deeply concerned about Israeli measures barring members of the Special Committee from visiting the Occupied Palestinian Territory, which had forced the Special Committee to rely on eyewitnesses to document Israeli violations of human rights and international law. The Special Committee's most recent report contained ample evidence of Israel's continued systematic aggression against the Palestinian people and residents of the occupied Syrian Golan. Israel's violations of human rights included repeated incursions into Palestinian cities and villages, collective punishment, arbitrary arrest and detention of civilians, expansion of settlements, seizure of land, demolition of homes, transfers of population, destruction of infrastructure, defilement of holy places, denial of rightful residence and restrictions on the movement of persons, food and basic commodities. In Gaza, Israel was withholding tax revenues owed to the Palestinian Authority and preventing implementation by UNRWA and other United Nations agencies of economic revitalization projects that might help to alleviate unemployment, poverty and malnutrition. She called on the international community to end its silence in the face of those violations and force Israel, the occupying Power, to desist from those practices, which were in clear violation of international human rights and humanitarian law.

17. Her delegation emphasized the need for the United Nations, particularly the Security Council, to take the necessary measures to ensure implementation of the recommendations contained in the Special Committee's report, particularly with regard to ending the blockade of Gaza and construction of the separation barrier. The mandate of the Office for the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory should also be strengthened and Israel should pay suitable compensation to Palestinians and residents of the occupied Syrian Golan for all the human, material and psychological damage caused by the occupation. She hoped that the General Assembly would also strengthen the Special Committee's mandate.

18. **Mr. Adnan** (Indonesia) expressed his delegation's regret that Israel had once again ignored the Special Committee's request for access to the Occupied Territories. The information obtained by the Special Committee pointed to systematic Israeli policies and practices apparently designed either to force the Palestinian people from their land or to so severely marginalize them as to keep them permanently oppressed. That dismal picture discredited Israel's claim that it was committed to the principle of two States living side by side in peace and security. His delegation continued to support the two-State solution and believed that both parties must be encouraged to work hard to achieve it. However, Israel's practices in the Occupied Palestinian Territory were obviously aimed at frustrating such an outcome.

19. His delegation fully supported the recommendations in the Special Committee's report, many of which simply requested Israel to meet its obligations under international law. It joined in the call on Israel to lift its blockade of Gaza and to allow visits between Syrians in the occupied Syrian Golan and the rest of Syria. It reminded Israel that if the two-State

solution was to succeed in practice, it would have to be comprehensive and include complete Israeli withdrawal from occupied Lebanese land and the Syrian Golan.

20. **Mr. Mashabane** (South Africa) said that the international community must be consistent in promoting the universal applicability of international human rights instruments. Selectivity only served to engender impunity, as evidenced by Israel's persistent denial of the human rights of the Palestinian people in the Occupied Palestinian Territory. Israel's illegal blockade of Gaza, forced removals, illegal settlement activity, destruction of Palestinian property, extension of the separation barrier and restrictions on freedom of movement violated international humanitarian and human rights law and were all obstacles to a peaceful, negotiated settlement. Indeed, 19 years after the Oslo Accords, not only had Israel failed to restore responsibility for law enforcement and development planning in Area C to the Palestinian Authority, but it was also seeking to push the Bedouin population and Palestinian pastoral farmers out of the region.

21. His delegation fully endorsed the recommendations in the Secretary-General's report on Israeli practices affecting the human rights of the Palestinian people (A/67/372), but regretted that they did not address the issue of the impunity with which the Israeli security forces violated international human rights and humanitarian law. Believing that the human rights of the Palestinian people could be guaranteed only within a secure Palestinian State, his Government supported the two-State solution. It lamented the Security Council's failure to agree to the admission of Palestine as a State Member of the United Nations and called on the international community to support Palestine's bid for enhanced observer status at the current session of the General Assembly.

22. **Mr. Ri** Kwang Nam (Democratic People's Republic of Korea) said that Israel's barbaric violations of the human rights of the Palestinian and other Arab peoples were based on a policy of hegemony, racism and territorial ambition facilitated by the connivance of the United States of America and its open opposition to the establishment and recognition of an independent Palestinian State. The Sixteenth Ministerial Conference of the Non-Aligned Movement had underscored the urgency of resolving the question of Palestine. Achieving peace in the Middle East called for an impartial negotiating process, and any resolution of the question of Palestine must be based on the immediate withdrawal of Israeli troops from all occupied territories and due compensation for the material and psychological damage inflicted on the Palestinian people.

23. **Mr. Alfadhli** (Kuwait) said that the Special Committee was to be commended for producing its report under difficult conditions. The report clearly showed the continuing aggressive, illegal Israeli practices, which ran contrary to international law and the principles of the Universal Declaration of Human Rights. Israel's actions had led to the deterioration of the human rights situation in the Occupied Palestinian Territory and had increased the Palestinians' suffering; severe restrictions on movement in and outside of the Gaza Strip had affected their health and education, and many of them had died owing to the excessive use of force by Israeli security forces.

24. The campaign to expand the settlements impeded peace. Israel's flouting of international law and of the relevant resolutions demonstrated its lack of interest in a peaceful solution. Rather, its aggressive expansionist policy sought to entrench the occupation and change the demographic nature of the land, practices denounced by his Government. Israeli forces had even violated holy sites sacred to both Christians and Muslims.

25. His Government fully supported the Palestinian people in its struggle for an independent State. He therefore denounced the inhumane, illegal blockade of Gaza and called on Israel to release all political prisoners and withdraw from the occupied Syrian Golan and Lebanese territories. His delegation reiterated its support for Palestine's full membership in the United Nations, which would constitute a step towards a just and lasting peace, and called on the international community to assume its responsibility under the Charter to find a solution to the Arab-Israeli conflict, one of the gravest threats to international peace and security in the Middle East. Israel should implement the recommendations of the Special Committee and the international community should bring pressure to bear on the Israeli Government so that it would cease its flagrant violations of international law in the occupied territories and abide by the resolutions of the United Nations and other initiatives that sought to reach a lasting and just peace in the region.

26. **Mr. Mohamed** (Sudan) said that the report of the Special Committee showed the further deterioration of the situation since the previous year in terms that did not seem to have changed. Indeed, the hope of a two-State solution had almost vanished and the international community appeared to be helpless to find a just and lasting solution to problem. According to the report, Israel's continued violations of international humanitarian law and human rights law had led to worsening conditions. Those violations included murder, attacks by settlers, arbitrary detentions, home demolitions, destruction of resources and infrastructure, construction of the separation wall and annexation of Palestinian lands. The expansion of settlements and cultural, religious and demographic changes in the character of Jerusalem, despite international condemnation; the relevant resolutions of the United Nations; and the advisory opinion of the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory had proven that Israel's flagrant violation of international law and the Charter continued with impunity. Settlement construction was an obstacle to peace and destroyed the two-State vision, discrediting Israel's claims that it desired a peaceful solution, an end to the suffering of the Palestinian people and the return of the refugees.

27. As a result of the blockade imposed on Gaza in violation of international law, the economy was on the point of collapse and unemployment had reached very high levels. His delegation supported the right of the Palestinian people to establish an independent State and of the refugees to return. It was high time for the international community to put an end to the Israeli occupation of Palestinian land and continued violation of various resolutions and laws, and for Israel to assume its responsibility to implement the Security Council resolutions on the establishment of an independent Palestinian State with Jerusalem as its capital and to withdraw from the occupied Golan Heights and Lebanese territory.

28. **Mr. Rahman** (Bangladesh) said that the Special Committee's report reflected, once again, the appalling human rights and humanitarian situation in the Occupied Palestinian Territories; it was regrettable that international community's repeated appeals remained unheeded. The Palestinian people continued to suffer as a result of Israeli blockades, closures, confiscation of land, home demolitions and the illegal separation wall, which divided and isolated communities, destroyed livelihoods and denied hundreds of thousands of people access to their jobs, families, markets, schools and hospitals. Gaza's borders had been subjected to an unprecedented regime of closures aimed at strangling an entire population. Periodic escalation of violence only led to further despair and destitution, and Israel was purposely generating fear, fury and distress among Palestinians. His Government deplored the policies of collective punishment, forcing people off their land, prolonged detention without charge, restrictions on movement and property ownership, deportations and denial of access to such resources as water.

29. The continued construction of Jewish settlements in the occupied territories was particularly serious. The international community had repeatedly called for the cessation of such activities and Israel had repeatedly undertaken to do so. It was impossible to talk about restarting the peace process while the settlement activity continued unabated since those settlements posed a threat to the viability of a contiguous Palestinian State. In its advisory opinion, the International Court of Justice had described Israel's violation of the Palestinian people's right to self-determination as the violation of an *erga omnes* obligation: one of concern to all. If Member States were serious about peace in the Middle East, collective pressure must be exerted on Israel in order to make it stop expanding its illegal settlements and dismantle the existing ones.

30. His delegation urged Israel to fulfil its legal obligation, as the occupying Power, to ensure that all inhabitants were safeguarded against acts of violence or threats; cease the illegal detention of Palestinian people, including children; stop the destruction of homes and confiscation of land; give the Palestinians access to their land, to employment and to their natural resources; desist from transferring its population to the occupied territories; lift its embargo against Palestinians; and immediately open all border crossings to allow the free movement of goods, persons and humanitarian aid. Unless Israel withdrew, completely and unconditionally, from the Occupied Palestinian Territory, including East Jerusalem and other occupied Arab lands, the hope of peace and prosperity in the Middle East would remain as elusive as ever.

31. **Ms. Al-Ghanem** (Qatar) said that her Government was deeply concerned about Israel's occupation of the Palestinian Territories and continued implementation of settlement policies, including in East Jerusalem. In so doing, the Israeli Government was endeavouring to impose a fait accompli and to Judaize the holy city, as reflected in its decision to demolish the Mughrabi Gate of Al-Haram al-Sharif (Temple Mount) in the Old City of Jerusalem, by obliterating the national and cultural identity of the Palestinian people.

32. The main cause of the continuation of the Arab-Israeli conflict was the continued military occupation, which constituted a violation of the human rights of an unarmed people under the pretext of combating violence and terrorism. The struggle for liberation from foreign occupation was a legitimate right that could not be equated with the military aggression by the occupation forces. Her Government condemned the recent attacks on the Gaza Strip, which had caused six deaths and wounded dozens of innocent civilians. The continued construction of the wall was another flagrant violation of international humanitarian and human rights law and of the relevant Security Council resolutions.

33. Among the most dangerous practices perpetrated by Israel against the Palestinians were its desecration of Islamic holy sites, including Al-Haram Al-Sharif, and its leniency with the extremist settlers who attacked those sites and assaulted worshippers. The Israeli authorities were expelling the Christian and Muslim occupants of Jerusalem and replacing them with Jewish settlers, undermining the possibility of a lasting, comprehensive peace based on the principle of the two-State solution with Israelis and Palestinians living side by side. The basic requirement for the success of any negotiations was the immediate and final cessation of settlement operations, not their suspension as some countries had suggested.

34. The unjust Israeli practices also affected the occupied Syrian Golan, where the Israeli authorities had denied the Arab population access to water resources, confiscated their land, uprooted trees, discriminated against Syrians who wished to obtain building permits and buried hazardous waste. The international community should shoulder its responsibility and compel Israel to comply without conditions with the relevant international resolutions, in particular Security Council resolution 497 (1981), which ruled that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect.

35. Her Government considered that there was no room for establishing normal relations between the Arab States and Israel as long as the latter did not comply with international law and did not respect the principle of land for peace, which remained the foundation upon which negotiations between the Israeli and Palestinian authorities had been built since the 1991 Madrid Conference.

36. **Mr. Nitzan** (Israel) said that the current meeting offered a window into the theatre of the absurd: while 1.5 million Israelis were the victims of rocket and mortar attacks, the Committee had chosen to focus on a one-sided report that deliberately turned a blind eye to the truth. His Government held human rights in the highest possible regard and, as a vibrant democracy, had an independent, professional and highly respected judicial system that was accessible to all, citizens and foreigners alike. It was unfortunate that the Special Committee's report had not sought to advance human rights but had furthered a narrative aimed at discrediting Israel and denying the right of its citizens to live in peace and security. It did not mention the more than 1,000 rockets and mortar shells launched from the Gaza Strip against Israeli towns and villages in the past year; Hamas' well-known and cynical practice of placing its military installations near and inside civilian buildings, including close to United Nations facilities; or the hundreds of terrorist attacks launched from the Gaza Strip, terrorizing Israeli civilians.

37. The Special Committee proudly reported visiting Gaza in July 2011, during which month 28 rockets and mortar shells had been fired from Gaza, yet it had seen nothing, heard nothing and reported nothing. It had, however, reported hundreds of unsubstantiated claims of violence by Israeli settlers against Palestinians while ignoring all reports of Palestinian violence against Israelis. It had also completely ignored the violations of Palestinians' rights by other Palestinians, such as the persecution of the Palestinian homosexual community by Hamas and the Palestine Liberation Organization and the failure to protect Christians' freedom of religion and women's rights. As it was clear that the Special Committee predetermined its findings and

conclusions, Israel would continue to refuse to cooperate with it.

38. Many positive developments in the West Bank and Gaza over the previous year had been acknowledged by other bodies, including the World Bank and the International Monetary Fund (IMF). For example, since June 2010, the Israeli Government had made significant policy changes with a view to liberalizing the system through which civilian goods entered Gaza — currently, the only restrictions were on weapons and dual-use items — yet the international community and the private sector in Gaza were using only 55 per cent of the existing capacity to transfer goods.

39. Israel was engaged with several United Nations agencies, international organizations and partner countries and had approved 219 school and housing projects in Gaza, even though the Hamas terror regime controlled the area and used it as a launching-ground for mortar fire on Israeli civilians and crossings used to transport goods. The 13 remaining roadblocks in the West Bank were constantly open unless there were specific security threats. Israel had transferred advance payments of 430 shekels to the Palestinian Authority in order to facilitate the timely payment of its employees and help it manage the current financial crisis. It had concluded arrangements for the transfer of goods and related tax procedures that would strengthen the economic base of the Authority and had increased the number of work permits for Palestinians in Israel by 40 per cent. It had also signed an agreement with a view to the construction of four new electricity substations that would supply additional electricity to the West Bank. None of those initiatives were mentioned in the report of the Special Committee.

40. It was absurd to hear condemnation and criticism of Israel's judiciary system and human rights record from countries that imprisoned their own human rights activists and lacked a free press or independent judiciary. The reports of international human rights organizations regarding the Arab countries and many other countries that so passionately criticized Israel clearly showed that they chose to point fingers at Israel because it was easier than attempting to improve human rights practices at home.

41. Israel was committed to reaching a permanent peace agreement with the Palestinians that would permit their two peoples to live in peace, security and dignity. His Government called on its Arab neighbours to join Israel in taking concrete, courageous steps to pursue the path of peace and challenged them to prove their commitment to the protection of human rights and human beings, regardless of creed, race or nationality. It called for an end to the cycle of inflammatory rhetoric that was constantly disrupting the work of the Fourth Committee and hoped that the scarce resources of the United Nations would be used for their intended purpose — to improve the lives of people — and that the Palestinians would rejoin Israel in direct negotiations without delay or preconditions.

42. **Ms. Rasheed** (Observer for Palestine), speaking in exercise of the right of reply, said that her delegation rejected Israel's reference to the current debate as a "theatre of the absurd". The Special Committee was mandated by the international community to investigate the practices not of Israel as a vibrant democracy, but of Israel as an occupying Power with more than 45 years of illegal practices that violated the human rights of Palestinians. Moreover, it appeared that the representative of Israel had not read the report, which did indeed mention the rockets fired. If Israel believed that Palestine would stop coming to the United Nations to discuss those issues, it was mistaken; surely it could not think that it could talk of peace while committing such violations. On the heels of a declaration of 1,200 new settlements, an additional 500 had recently been announced, belying the campaign of false statements about the good being done for the Palestinian people. Israel must cease its violations of basic human rights principles before peace and security could prevail for both sides.

The meeting rose at noon.